



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

August 10, 2020

BY ECF

Hon. Laura Taylor Swain
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: *United States v. Daniel Fernandez, 10 CR 905-02 (LTS)*

Dear Judge Swain:

The parties respectfully write pursuant to the Court's Order of July 10, 2020 (Dkt. 2320) to provide a status update in the above-captioned case. In that Order, the Court further directed the parties to file a joint status report in thirty days addressing the defendant's furlough application and his pending application for home confinement.

Government is awaiting further information from the Bureau of Prisons ("BOP") and respectfully requests that the deadline to file a status report be extended to Wednesday, August 12, 2020. Defense counsel does not object to this request. Defense counsel also provides the attached letter, containing information from the defendant about the status of his applications.

Respectfully Submitted,

The requested extension is granted. DE# AUDREY STRAUSS
2325 resolved.
SO ORDERED.
8/10/2020
/s/ Laura Taylor Swain, USDJ

by: 
Andrew A. Rohrbach
Assistant United States Attorney
(212) 637-2345

CC: Counsel of record (by ECF)

Attachment A

JEFFREY S. WEINER
MEMBER OF THE UNITED STATES, FLORIDA
AND ILLINOIS SUPREME COURT BARS

BOARD CERTIFIED CRIMINAL TRIAL ADVOCATE
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MEMBER, NATIONAL ASSOCIATION CRIMINAL DEFENSE LAWYERS
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MEMBER OF THE NATIONAL
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AUGUSTO BRAVO
PARALEGAL

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JAKE S. WEINER
LAW CLERK

HARVARD LAW SCHOOL
JURIS DOCTOR CANDIDATE 2021

GUIDO DEL PRADO
CONSULTANT ON DIPLOMATIC MATTERS
AND INTERNATIONAL AFFAIRS

August 7, 2020

SENT VIA EMAIL

Andrew A. Rohrbach
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Southern District of New York
One Saint Andrews Plaza
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Andrew.Rohrbach@usdoj.gov

***Re: Daniel Fernandez
Furlough/Home Confinement Requests Update
Reg. 68071-004***

Dear Mr. Rohrbach:

In accordance with Judge Taylor Swain's ruling on July 10, 2020, please find a detailed status update provided to undersigned counsel by Mr. Fernandez below:

1. On July 7, 2020, Mr. Fernandez was informed by Case Manager Melek that his request for home confinement had been denied.

Letter to Assistant United States Attorney Andrew Rohrbach

August 7, 2020

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2. On July 10, 2020, upon receipt of the court's order, undersigned counsel submitted a furlough request to the Warden at FDC Miami with a copy of Judge Taylor Swain's order attached via email. Communication with Mr. Fernandez is severely limited, counsel submitted the request on his behalf to avoid any timeliness issues.

3. On July 15, 2020, Mr. Fernandez was finally able to submit a request for a furlough personally. He sent an email request to the Warden, an email request to Unit Manager Richardson, and submitted a physical request to Unit Manager Richardson with a copy of the court's July 10, 2020 order attached.

4. On July 20, 2020, Mr. Fernandez was informed by Unit Manager Richardson that his request for a furlough had been denied.

Please feel free to contact me if you have any questions.

Respectfully submitted,

/s/ Diego Weiner

Diego Weiner, Esq.

For the Firm